

11/08/00

JCE25 U.S. PTO

11/09/00

A

REQUEST FOR FILING A CONTINUATION PATENT APPLICATION UNDER 37 CFR 1.53(b)

| DOCKET NUMBER | ANTICIPATED CLASSIFICATION OF THIS APPLICATION | | PRIOR APPLICATION SERIAL NO. EXAMINER | | ART UNIT |
|---------------|--|----------|---------------------------------------|--------------|--------------|
| JHV-010.03 | CLASS | SUBCLASS | 09/685,244 | Not Assigned | Not Assigned |

Address to: Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

This is a request for filing a (X) continuation () divisional application under 37 CFR 1.53(b), of pending prior application Number 09/685,244, filed on October 10, 2000 entitled "Inhibitors of Hedgehog Signaling Pathways, Compositions and Uses Related Thereto"


1. I hereby verify that the papers are a true copy of the latest signed prior application number 09/685,244, and further that all statements made herein of my own knowledge are true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

| CLAIM | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
|------------|--|------------------|------------------|----------------------------|------------------|
| PATENT FEE | TOTAL CLAIMS (37 CFR 1.16(c)) | | | x \$18.00= | \$ |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b)) | | 0 | x \$78.00= | \$ |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$260.00= | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a)) | \$ |
| | Total of above Calculations = | | | | \$ |
| | *Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28) | | | | -\$ |
| TOTAL= | | | | \$ | |


2. () A verified statement to establish small entity status under 37 CFR 1.9 and 1.27
() is enclosed.
() was filed in prior application and such status is still proper and desired (37 CFR 1.28(a)).
3. () The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 06-1448. A duplicate copy of this sheet is enclosed.
4. (X) Filing fees are not being paid at this time.
5. () Cancel in this application original claims and of the prior application and enter the Preliminary Amendment attached hereto before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

6. (X) The inventor(s) of the invention being claimed in this application is (are): Philip A. Beachy, Michael K. Cooper, and Jeffrey A. Porter.
7. () This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
8. (X) Amend the specification by inserting on page 1, line 4, after "This application is", --a continuation of U.S. Application No. 09/685,244 filed October 10, 2000, which is--
9. () Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in prior application. (May only be used if signed by person authorized by 37 CFR 1.138 and before payment of issue fee.)
10. () Diskette with Sequence Listing.
11. () Priority of foreign application number _____, filed on _____, in _____ is claimed under 35 U.S.C 119.
- () The certified copy has been filed in prior application number ____/_____, filed _____.
12. () A preliminary amendment is enclosed.
13. () The prior application is assigned of record to: _____.
14. (X) Also enclosed: Copy of unexecuted Declaration from application number 09/685,244.
15. () The power of attorney in the prior application is to: _____.
- a. () The power of attorney appears in the prior application.
- b. () Since the power does not appear in the original paper, a copy of the power in the prior application is enclosed.
- c. (X) Address all future correspondence to: (May only be completed by applicant, or attorney or agent of record.)
- Patent Group
- Foley, Hoag & Eliot LLP
- One Post Office Square
- Boston, Massachusetts 02109-2170

November 8, 2000
Date


David P. Halstead, Ph.D.
Registration No. 44,735
Agent for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, P.O. Box to Addressee, in an envelope addressed to: Box Patent Application, Assistant Commissioner for Patents Washington, D.C. 20231, on the date indicated below.


Robert King

1969-70 17000000